

Notice of Allowability

Application No.

09/982,589

Examiner

Eugene Yun

Applicant(s)

HOKKANEN, TUOMO

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 10/7/2004.
2. ☒ The allowed claim(s) is/are 27-36 and 38-50.
3. ☒ The drawings filed on 17 October 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Please enter the following statement to the beginning of the specification:

"This application is a continuation of PCT/EP99/02966 04/30/1999."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (703) 305-2689. The examiner can normally be reached on 8:30am-5:30pm Alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/982,589
Art Unit: 2682

Page 3

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Eugene Yun
Examiner
Art Unit 2682

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/7/2004 has been entered.

Allowable Subject Matter

2. Claims 27-36 and 38-50 are allowed.

Regarding Claim 27, Dennison, Kim, and Menich do not teach, alone nor in combination,

processing location information related to the mobile station by comparing position information of the mobile station with position information related to the base transceiver stations, deciding on the basis of the result of said processing of said location information, whether a first handover condition based on said location information is fulfilled or not, wherein said first handover condition is based on said location information and indicates that a handover is necessary for establishing or maintaining the communication between the mobile station and the communication network, when the first handover condition is not fulfilled, checking subscriber specifications, whether or not another measurement, which is related to a handover and is not based on said location information, is to be performed; in addition to

Art Unit: 2682

selecting a measurement of availability of traffic channels as the type of the further measurement, if the another measurement is to be performed,

executing the measurement of availability of traffic channels selected in said selecting step;

verifying, whether the measurement of availability of traffic channels results in a second handover condition, and if the result of said verifying step indicates that the second handover condition is fulfilled, and

designating a next base transceiver station in said communication network, to which the communication with said mobile station is to be directed from a current base transceiver station, when the first handover or the second handover condition is fulfilled.

Regarding Claim 43, Dennison, Kim and Menich do not teach, alone nor in combination,

processing location information related to said mobile station by comparing position information of the mobile station with position information related to base transceiver stations, and for deciding on the basis of the result of said processing of said location information, whether a first handover condition based on said location information is fulfilled or not, wherein said first handover condition is based on said location information and indicates that a handover is necessary for establishing or maintaining the communication between the mobile station and the communication network, for checking, when the first handover is not fulfilled, subscriber specifications, whether or not another measurement which is related to a handover and is not based on said location information is to be performed; in addition to

Art Unit: 2682

a measurement means being responsive to the subscriber specifications and adapted to

check whether another measurement is to be performed,

select a measurement of availability of traffic channels as the type of the further measurement, if the another measurement is to be performed,

execute the measurement of availability of traffic channels selected,

verify, whether the measurement of availability of traffic channels results in a second handover condition,


and if the result of the verification indicates that the second handover condition is fulfilled, forward the measurement result to said handover condition processing means for performing the handover.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2682

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Eugene Yun
Examiner
Art Unit 2682

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LEE NGUYEN
PRIMARY EXAMINER